

After recording, return to:  
FNF Title Services, Inc.  
7145 Swinnea Road, Suite 2  
Southaven, MS 38671  
(662) 349-6536

8K0485PG0350

File # 12314  
STATE OF MISSISSIPPI  
COUNTY OF DESOTO

Asset No: 8000238777

NO TITLE EXAMINATION was performed by Gary L. Bates, Esquire all information contained herein furnished by the parties hereto.

**SPECIAL WARRANTY DEED**

THIS INDENTURE, made on the 18<sup>th</sup> day of October, 2004, by and between the Secretary of Veterans Affairs, an Officer of the United States of America, whose address is Department of Veterans Affairs, Washington, DC 20420, represented herein by Ocwen Federal Bank, FSB, by virtue of authority attached hereto, hereinafter referred to as Grantor, and Michael Newton, hereinafter referred to as Grantee(s).

For and in consideration of the sum of TEN DOLLARS (\$10.00), cash in hand paid and other good and valuable consideration, the receipt and sufficiency of which is hereby acknowledged, the Grantor does hereby grant, bargain, sell and convey unto the Grantee(s), the following described property, together with all improvements thereon, lying and being situated in DeSoto County, State of Mississippi, more particularly described as follows, to-wit:

Lot 149, Section "D", Shadow Oaks Subdivision, located in Section 32, Township 1 South, Range 8 West, DeSoto County, Mississippi, as recorded in Plat Book 75, Page 36, in the office of the Chancery Clerk of DeSoto County, Mississippi.

This conveyance is subject to any and all recorded easements, rights of way, mineral reservations, reservations, restrictions, restrictive covenants, and any other matter shown of record and any state of facts that would be disclosed by careful inspection and survey of the property.

AD VALOREM TAXES for the current year are hereby prorated to the day of closing and are assumed by the Grantee(s).

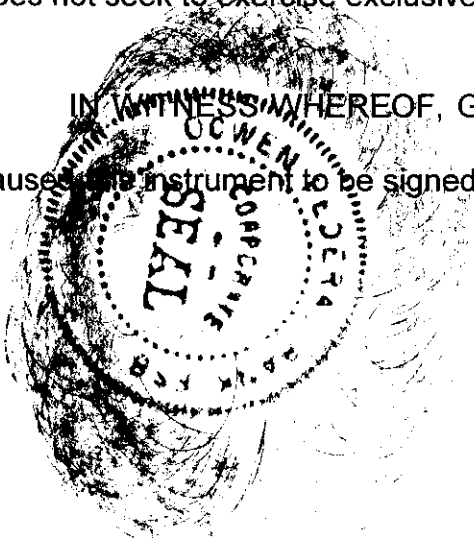
Grantor, in the capacity stated, warrants the title to said property against the claims of any and all persons claiming or to claim the same, or any part thereof, by, through or under Grantor.

**PURCHASER UNDERSTANDS AND ACKNOWLEDGES** that the property is being purchased in an [AS IS] condition and Purchaser hereby waives any claim whatsoever

which he/she has or may have against the Seller with regard to the property or anything in, on, about or relating to the property and Purchaser hereby releases the Seller from any and all liability or obligations in connection with the same. Purchaser acknowledges that the property has been made available for complete inspection, appraisal and evaluation prior to the execution of the contract and closing of the sale and Purchaser hereby acknowledges and covenants that he/she accepts the property in its present condition with no reservations or qualifications whatsoever. Purchaser further acknowledges that the Seller shall not be responsible for any change in the conditions of the property including, but not limited to, the improvements, fixtures, furnishings, equipment, roof, foundation, or anything in, on, about or relating to the property or to any environmental, zoning, flood conditions, matters or certifications, which may occur between the date of the contract and the closing of the sale or which occur after the closing, of this sale. Any repairs of any nature which the Seller may have elected to perform prior to closing shall be deemed to have been accepted by Purchaser as completed and satisfactory at the time of closing and the Seller shall not be responsible for any further repairs or warranties whatsoever of any kind or nature after closing of this transaction.

Pursuant to provisions of 38 U.S.C 1620(a) (6) the Secretary of Veterans Affairs does not seek to exercise exclusive jurisdiction over the within described property.

IN WITNESS WHEREOF, Grantor on this 18<sup>th</sup> day of October, 2004 has caused this instrument to be signed on Grantor's behalf.



Secretary of Veterans Affairs  
An officer of the United States

By: MICHAEL MORELAND  
Its: Director, VA REO

OCWEN Federal Bank, FSB  
Pursuant to a delegation of authority  
Contained in 38 C.F.R. § 36.4342(f)

## STATE OF FLORIDA

## ORANGE COUNTY

On this date, before me personally appeared **MICHAEL MORELAND**  
Director, VA REG,

\_\_\_\_\_, pursuant to a delegation of authority contained in 38 C.F.R. § 36.4342(f), to me known to be the person who executed the foregoing instrument on behalf of the Secretary of Veterans Affairs, and acknowledged that ☒ he/☐ she executed the same as the free act and deed of said Secretary.

In Witness Whereof, I have hereunto set my hand and affixed my official seal in the State of Florida, this 18 day of October, 2004.

*Jamilla Johnson*  
NOTARY PUBLIC

My Term Expires: \_\_\_\_\_



Jamilla Johnson  
My Commission DD320682  
Expires May 16, 2008

GRANTOR'S ADDRESS:  
Department of Veterans Affairs  
Washington, DC 20420  
(407) 737-5524

GRANTEE(S)' ADDRESS:  
6461 Shadow Cross Ln.  
Horn Lake, MS 38637  
(662)-342-6737 *N/A*

DOCUMENT PREPARED BY:  
Gary L. Bates, Esquire  
AAA Title Company, Inc.  
2112 Bienville Blvd., Suite A  
Ocean Springs, MS 39564  
228-818-6124  
MSB#2190

Indexing instructions: Exempt

AWARD/CONTRACT

1. THIS CONTRACT IS A RATED ORDER UNDER DPAS (15 CFR 350)

RATING

PAGE 1 OF 1 PAGES

CONTRACT (Proc. Inst. Ident.) NO.  
V101(93)P-2115

2. EFFECTIVE DATE  
AUGUST 27, 2003

4. REQUISITION/PURCHASE REQUEST/PROJECT NO.  
101-03-4-5914-0050/P.O.#101-Y37203

ISSUED BY  
U.S. DEPARTMENT OF VETERANS AFFAIRS

5. ADMINISTERED BY (If other than Item 5)

CODE

NAME AND ADDRESS OF CONTRACTOR (No., street, city, county, State and ZIP Code)  
OCWEN FEDERAL BANK FSB  
1675 PALM BEACH LAKES BOULEVARD  
WEST PALM BEACH, FL 33401

8. DELIVERY  
☐ FOB ORIGIN ☒ OTHER (See below)

9. DISCOUNT FOR PROMPT PAYMENT  
NET 30

10. SUBMIT INVOICES (4 copies unless otherwise specified) TO THE ADDRESS SHOWN IN:  
BLOCK 12

CODE

FACILITY CODE

11. SHIP TO/MARK FOR

CODE

12. PAYMENT WILL BE MADE BY

CODE

13. AUTHORITY FOR USING OTHER THAN FULL AND OPEN COMPETITION:  
☐ 10 U.S.C. 2304(c)(1) ☐ 41 U.S.C. 253(c)(1)

14. ACCOUNTING AND APPROPRIATION DATA  
101-3630151-5914-305025-2580-02000600

15A. ITEM NO.	15B. SUPPLIES/SERVICES	15C. QUANTITY	15D. UNIT	15E. UNIT PRICE	15F. AMOUNT
001		1	EA		
002		1	EA		
003		1	EA		
004		1	EA		
005					

15G. TOTAL AMT

16. TABLE OF CONTENTS					
(✓) SEC.	DESCRIPTION	PAGE(S)	(✓) SEC.	DESCRIPTION	PAGE(S)
PART I - THE SCHEDULE			PART II - CONTRACT CLAUSES		
X A	SOLICITATION/CONTRACT FORM	1	X I	CONTRACT CLAUSES	30
X B	SUPPLIES OR SERVICES AND PRICES/COSTS	6	PART III - LIST OF DOCUMENTS, EXHIBITS AND OTHER ATTACHMENTS		
X C	DESCRIPTION/SPECS./WORK STATEMENT	42	X J	LIST OF ATTACHMENTS	82
X D	PACKAGING AND MARKING	1	PART IV - REPRESENTATIONS AND INSTRUCTIONS		
X E	INSPECTION AND ACCEPTANCE	1	K	REPRESENTATIONS, CERTIFICATIONS AND OTHER STATEMENTS OF OFFERORS	
X F	DELIVERIES OR PERFORMANCE	1	L	INSTRS., CONDS., AND NOTICES TO OFFERORS	
X G	CONTRACT ADMINISTRATION DATA	1	M	EVALUATION FACTORS FOR AWARD	
X H	SPECIAL CONTRACT REQUIREMENTS	2			

CONTRACTING OFFICER WILL COMPLETE ITEM 17 OR 18 AS APPLICABLE

17. ☒ CONTRACTOR'S NEGOTIATED AGREEMENT (Contractor is required to sign this document and return 03 copies to issuing office.) Contractor agrees to furnish and deliver all items or perform all the services set forth or otherwise identified above and on any continuation sheets for the consideration stated herein. The rights and obligations of the parties to this contract shall be subject to and governed by the following documents: (a) this award/contract, (b) the solicitation, if any, and (c) such provisions, representations, certifications, and specifications, as are attached or incorporated by reference herein. (Attachments are listed herein.)

18. ☐ AWARD (Contractor is not required to sign this document.) Your offer on Solicitation Number including the additions or changes made by you which additions or changes are set forth in full above, is hereby accepted as to the items listed above and on any continuation sheets. This award consummates the contract which consists of the following documents: (a) the Government's solicitation and your offer, and (b) this award/contract. No further contractual document is necessary.

19A. NAME AND TITLE OF SIGNER (Type or print)  
RONALD M. FARIS, PRESIDENT

20A. NAME OF CONTRACTING OFFICER  
JESSICA TERASHER WILSON

19B. NAME OF CONTRACTOR  
BY

19C. DATE SIGNED  
8/27/03

20B. UNITED STATES OF AMERICA  
BY  
(Signature of Contracting Officer)

20C. DATE SIGNED  
8/27/03

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[Federal Register: March 8, 2004 (Volume 69, Number 45)]  
[Rules and Regulations]  
[Page 10618-10619]  
From the Federal Register Online via GPO Access [wais.access.gpo.gov]  
[DOCID:fr08mr04-24]

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## DEPARTMENT OF VETERANS AFFAIRS

38 CFR Part 36

RIN 2900-AL85

Delegation of Authority--Property Management Contractor

AGENCY: Department of Veterans Affairs.

ACTION: Final rule.

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SUMMARY: The Department of Veterans Affairs (VA) is amending its delegation of authority regulation with respect to the loan guaranty program. This amendment will permit certain officers of the private contractor performing property management functions to execute all documents necessary for the management and sale of single-family properties acquired by VA under its housing loan guaranty program. This amendment will provide notice to buyers, lenders, and other real estate professionals of the contractor's authority to sign these documents rather than requiring VA to prepare and record powers of attorney, thereby increasing the efficiency of the loan guaranty program.

DATES: Effective Date: March 8, 2004.

SUPPLEMENTARY INFORMATION: The provisions of 38 U.S.C. chapter 37 authorize the Secretary of Veterans Affairs (VA) to guarantee or make loans to veterans. Following the termination of loans which have been in serious default, the holder of the guaranteed loan may, pursuant to 38 U.S.C. 3732(c), have an election to convey to the Secretary the property which had secured the loan. Upon receipt of these properties, VA sells them to the general public in order to reduce the loss to the Federal Treasury on the guaranteed loan. The sale of such properties is not a benefit to veterans.

VA has contracted with a private entity to handle the management and resale of its inventory of acquired properties. In order to increase the efficiency of this contract, certain officers of the contractor are being delegated authority to execute, on behalf of VA, routine documents necessary for the management and sale of these properties.

Currently, 38 CFR 36.4342 authorizes certain VA officials, such as field station Directors, Loan Guaranty Officers, and Assistant Loan Guaranty Officers, to execute these documents. Regional Offices are

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required to maintain a cumulative list of all employees of that office who have held the designated positions since May 1, 1980. In addition, 38 CFR 36.4342(e) authorizes certain officers of the private contractor servicing loans made or acquired by VA to execute on behalf of the Secretary all documents necessary for the servicing and termination of those loans. VA also maintains a log of the corporate officers who have been authorized to execute these documents.

This rule adds a new paragraph (f) to 38 CFR 36.4342 which delegates to persons holding the office of Senior Vice President, Vice President, Assistant Vice President, Assistant Secretary, Director, and Senior Manager of the entity performing property management and sales functions under a contract with VA the authority to execute all documents necessary for the management and sale of residential real property acquired by VA under the housing loan program authorized by 38 U.S.C. chapter 37. Documents authorized to be executed will include sales contracts, deeds, documents relating to removing adverse occupants, and any documents relating to sales closings. The authorization to execute deeds is limited to deeds other than general warranty deeds.

The Director of the VA Loan Guaranty Service, Washington, DC, will maintain a log listing all corporate officers of the contractor who have been authorized to execute documents and the dates during which these persons were authorized to act. VA will also maintain copies of resolutions of the contractor's board of directors authorizing these persons to execute these documents. Those files will be available for public inspection and copying during normal business hours at the Office of the Director of VA Loan Guaranty Service, Washington, DC 20420.

The provisions of 38 CFR 36.4342(f) are published without regard to the notice and comment and delayed effective date provisions of 5 U.S.C. 553 since they relate to agency management and personnel and are not substantive rules.

#### Unfunded Mandates

The Unfunded Mandates Reform Act requires, at 2 U.S.C. 1532, that agencies prepare an assessment of anticipated costs and benefits before developing any rule that may result in an expenditure by State, local, or tribal governments, in the aggregate, or by the private sector of \$100 million or more in any given year. This proposed amendment would have no such effect on State, local, or tribal governments, or the private sector.

#### Paperwork Reduction Act

This document contains no provisions constituting a collection of information under the Paperwork Reduction Act (44 U.S.C. 3501-3520).

#### Regulatory Flexibility Act

The Secretary of Veterans Affairs hereby certifies that this final rule will not have a significant economic impact on a substantial number of small entities as they are defined in the Regulatory Flexibility Act, 5 U.S.C. 601-612. The final rule relates to agency management and personnel and does not contain substantive provisions affecting small

[[Page 10619]]

entities. Accordingly, pursuant to 5 U.S.C. 605(b), this final rule is

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exempt from the initial and final regulatory flexibility analysis requirements of sections 603 and 604.

There is no Catalog of Federal Domestic Assistance number for this program.

List of Subjects in 38 CFR Part 36

Condominiums, Housing, Indians, Individuals with disabilities, Loan programs-housing and community development, Loan programs, Indians, Loan programs-veterans, Manufactured homes, Mortgage insurance, Reporting and recordkeeping requirements, Veterans.

Approved: February 24, 2004.

Anthony J. Principi,  
Secretary of Veterans Affairs.

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For the reasons set out in the preamble, 38 CFR part 36 is amended as set forth below.

PART 36--LOAN GUARANTY

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1. The authority citation of part 36 continues to read as follows:

Authority: 38 U.S.C. 501, 3701-3704, 3707, 3710-3714, 3719, 3720, 3729, 3762, unless otherwise noted.

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2. Section 36.4342 is amended by:

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a. Adding paragraph (f) immediately after paragraph (e).

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b. Removing the second authority citation that appears at the end of the section.

The addition reads as follows:

Sec. 36.4342 Delegation of authority.

\* \* \* \* \*

(f)(1) Authority is hereby delegated to the officers, designated in paragraph (f)(2) of this section, of the entity performing property management and sales functions under a contract with the Secretary to execute on behalf of the Secretary all documents necessary for the management and sales of residential real property acquired by the Secretary pursuant to 38 U.S.C. chapter 37. Documents executed under this paragraph include but are not limited to: sales contracts, deeds, documents relating to removing adverse occupants, and any documents relating to sales closings. The authorization to execute deeds is limited to deeds other than general warranty deeds.

(2) The designated officers are: Senior Vice President, Vice President, Assistant Vice President, Assistant Secretary, Director, and Senior Manager.

(3) The Director, Loan Guaranty Service, Washington, DC, shall maintain a log listing all persons authorized to execute documents pursuant to paragraph (f) of this section and the dates such persons held such authority, together with certified copies of resolutions of the board of directors of the entity authorizing such individuals to perform the functions specified in paragraph (f)(1) of this section.

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These records shall be available for public inspection and copying at the Office of the Director of VA Loan Guaranty Service, Washington, DC 20420.

\* \* \* \* \*

(Authority: 38 U.S.C. 501, 3720(a)(5))

[FR Doc. 04-5108 Filed 3-5-04; 8:45 am]

BILLING CODE 8320-01-P

**OCWEN FEDERAL BANK FSB  
CERTIFICATE OF SECRETARY**

The undersigned hereby certifies as follows:

1. He is the duly elected, qualified and acting Secretary of Ocwen Federal Bank, FSB (the "Company"), and in charge of the minute books and corporate records of the Company.
2. Set forth below is a true copy of certain resolutions duly adopted by the Executive Committee of the Board of Directors of Ocwen Federal Bank, FSB on July 6, 2004:

**RESOLVED**, that the Senior Vice President of Residential Loan Servicing, Vice President of Residential Loss Mitigation, Vice President of Ocwen Realty Advisors, Vice President of Capital Markets, Director of VA REO, Director of REO, Director of Customer Service, Director of Loan Servicing, Director of Vendee Loan Originations, Senior Manager of VA REO, Senior Manager of Customer Relations, Director of Corporate Services, and Senior Manager of Mortgage Operations, Manager of VA REO, Manager of REO, and Senior Supervisor of Contract Management be, and hereby are, authorized to execute, acknowledge, seal, deliver, endorse, file, record and process the following documents, on behalf of the Bank as necessary or desirable and appropriately completed, in the ordinary course of servicing one-to-four family residential mortgage loans, including the marketing and sale of real estate owned:

deeds; mortgages; note endorsements; subordinations; modifications; lost note affidavits; assignments, satisfactions, releases and reconveyances of deeds, mortgages, subordinations, modifications and other recorded documents; checks or other instruments received by the Bank and made payable to a prior servicer; hazard claims; tax authority notifications and declarations; bills of sale and other instruments of sale, conveyance, and transfer; and all ordinary, appropriate or necessary endorsements, acknowledgements, affidavits and other supporting documents;

**RESOLVED**, that each of the Senior Vice President of Residential Loan Servicing, Vice President of Ocwen Realty Advisors, Director of Customer Service, Director of VA REO, Director of REO, Director of Loan Servicing, Director of Corporate Services, Senior Manager of VA REO and Vice President of Residential Loss Mitigation, Default Servicing Liaison be, and are hereby, authorized, among other things, to execute, acknowledge, seal, deliver, endorse, file, record and process the following documents, on behalf of the Bank as necessary or desirable and appropriately completed, in the ordinary course of servicing one-to-four family residential mortgage loans, including the marketing and sale of real estate owned:

insurance filings and claims; affidavits of debt; substitutions of trustee or counsel; non-military affidavits; notices of rescission; foreclosure deeds; transfer tax affidavits; affidavits of merit; verifications of complaints; notices to quit; bankruptcy declarations for the purpose of filing motions to lift stays; and all other ordinary, appropriate or necessary documents in connection with insurance, foreclosure, bankruptcy and eviction actions;

**RESOLVED**, that the Senior Vice President of Residential Loan Servicing, Vice President of Ocwen Realty Advisors, Director of Loan Servicing and Vice President of Residential Loss Mitigation be, and hereby are authorized and directed to execute all documents necessary for the purchase by the Bank of real property located in Puerto Rico, to take all actions necessary and desirable to administer the assets and the property of the Bank, including without limitation, purchases, endorsements, allonges, assignments of mortgages and trust deeds, other assignments and reconveyances, deeds, leases, contracts and legal pleadings, and to appear on behalf of the Bank in any legal proceeding related to the Property and the assets;

**RESOLVED**, that the Vice President of Ocwen Realty Advisors, Director of Servicing Operations, Director of REO, Manager of REO, Director of VA REO, Senior Manager of VA REO, Manager of VA REO and the Director of Investor Reporting be, and are hereby, appointed Assistant Secretaries of the Bank for the purposes of attesting documents in the ordinary course of servicing one-to-four family residential mortgage loans, including the marketing and sale of real estate owned, provided that such documents have been executed by other signatories named in the preceding resolutions;

**RESOLVED**, that the Senior Vice President of Residential Loan Servicing, Vice President of Ocwen Realty Advisors and Director of Investor Reporting be, and hereby are, authorized to execute, acknowledge, seal, deliver, endorse, file, record and process loss letters and stop advance certificates, on behalf of the Bank as necessary or desirable and appropriately completed, in the ordinary course of servicing one-to-four family residential mortgage loans, including in connection with real estate owned;

**RESOLVED**, that the proper officers be, and hereby are, authorized to appoint an attorney in fact to act for and in representation of the proper officers and for the Banks use and benefit in the exercise of the proper officers authority with regards to real property located in Puerto Rico;

**RESOLVED**, that for the purposes of these resolutions, the proper officers shall be: the Chairman and Chief Executive Officer, the President, any Vice President, the Treasurer, the Secretary and any Assistant Secretary;

**RESOLVED**, that any and all actions previously taken by the proper officers of the Bank on behalf of the Bank, or by the persons authorized herein but predating the date hereof, in furtherance of the purpose and intent of any or all of the foregoing resolutions be, and hereby are, ratified, confirmed, adopted and approved in all respects as the duly authorized acts of the Bank;

**RESOLVED**, that the proper officers of the Bank be, and each of them hereby is, authorized and directed, in the name and on behalf of the Bank, to take any and all such further actions, to execute, deliver and perform, under its corporate seal or otherwise, any and all such further agreements, documents, certificates and instruments, to make any and all such filings, to seek any and all such approvals and to pay any and all such costs and expenses as in their, his or her judgment may be necessary, appropriate or advisable in order to carry out the purpose and intent of any or all of the foregoing resolutions and to effectuate the transactions authorized thereby; and

**FURTHER RESOLVED**, that these resolutions rescind and supersede all prior resolutions of the Executive Committee or of the Board of Directors with respect to the matters addressed herein.


3. Set forth below is a list of the Company's officers and personnel who are authorized to execute the documents referred to in the foregoing resolutions, together with the title and department of such officer and personnel. Each of such officers and personnel is as of the date hereof, a duly appointed officer or employee of the Company, holding the office or position set forth opposite his/her name.

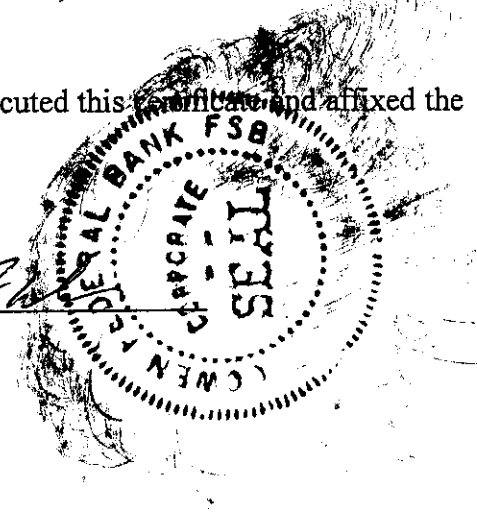
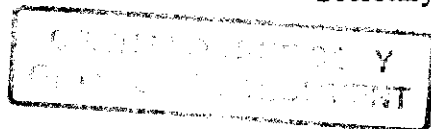
<u>Name</u>	<u>Title</u>
Scott W. Anderson	Senior Vice President, Residential Loan Servicing
Margery A. Rotundo	Vice President, Residential Loss Mitigation
Richard Delgado	Vice President, Capital Markets and Servicing Acquisitions
Michael H. Moreland	Director, VA REO
Joseph Hillery	Director, REO
Brian J. Laforest	Director, Investor Reporting
Normajean N. Cohn	Director, Customer Service
Paul E. Neff	Director, Servicing Operations

Robert G. Hall	Director, Loan Servicing
John Eder	Director, Vendee Loan Originations
Barbara G. Darling	Senior Manager, VA REO
Robert E. Kaltenbach	Senior Manager, Customer Relations
Steve A. Nielsen	Director, Corporate Services
Andrew C. Kurek	Manager, REO
Terri Hunter	Manager, VA REO
Mike Huot	Manager, VA REO
Kathryn Poston	Manager, VA REO
Mike Kartsonakis	Manager, VA REO
Adrienne Desouza	Manager, VA REO
Mark L. Elliot	Senior Supervisor, Contract Management
Pamela M. Adams	Default Servicing Liaison

4. The foregoing resolutions have not been amended, altered or otherwise modified and are, at the date of this Certificate, in full force and effect.

IN WITNESS WHEREOF, the undersigned has executed this Certificate and affixed the corporate seal of the Company on this 13<sup>th</sup> day of July, 2004.

  
Kevin J. Wilcox  
Secretary



STATE MS.-DESOTO CO

14  
16 Oct 28 3 36 PM '04

485 PG 350  
CH. CLK.